

## REMARKS

In the above referenced office action, Claims 1-23 are pending in the application. Claims 1-23 stand rejected. No new matter is being added.

### **Response to the Objection of the Drawing**

The Office Action objected to Figure 1 because of an informality. Specifically, the Office Action states “- in Figure 1, in block 130, “dispaly” should read --display--”. Applicant has corrected the referenced “dispaly” informality with the attached drawing, and this ground of objection is overcome thereby.

### **Response to the Objection of the Specification**

The Office Action objected to the Abstract because it contained the word “disclosed”, included “more than 150 words” and was “not a concise statement of the technical disclosure of the patent”. Applicant has amended the Abstract and respectfully requests removal of the objection.

In addition, the Office Action objected to the disclosure because of an informality. Specifically, the Office Action states “- on page 2, line 14 of the specification, the serial number of the related application is missing”. Applicant has amended the paragraph to provide the serial number as required. Applicant respectfully submits that the amended paragraph removes the informality and this ground of objection is overcome thereby.

### **Rejections Under 35 USC § 102(b)**

Claims 1-3, 9-11, 17 and 18 have been rejected under 35 USC § 102(b) as being anticipated by U.S. Patent 5,909,594 to Ross et al., (hereinafter “Ross”). This rejection has been traversed and reconsideration is hereby respectfully requested.

In regards to Claim 1, Claim 1 recites “an arbitration circuit capable of determining a first priority level associated with a first request packet received from said first bus device and capable of determining a second priority level associated with a second request packet received

from said second bus device”. The Office Action states on page 4 that “an arbitration circuit” element of Claim 1 is described by Ross, as referenced in “Figure 10, elements 410, 407”. Applicant has carefully reviewed the referenced Ross “Figure 10, elements 410, 407” and is unable to find reference to the above recited “an arbitration circuit” element of Claim 1. Specifically, the arbitration circuit element of Claim 1 includes limitation for determining priority level associated with request packets received from two separate and distinct devices, e.g., the first bus device and the second bus device.

On the contrary, in column 15, lines 3-5, Ross teaches, “The link controllers 304-311 handle all packet transfers on the link port between *a device* and the packet switched router.” (emphasis added). Thus, Ross teaches a link controller being dedicated to one and only one device, as shown in FIG. 9. Hence, the request manager (FIG. 10, element 407), which is included in each corresponding link controller in FIG. 9, can only receive request packet communication from one, and only one device. Similarly, the connection arbiter (FIG. 10, element 410) is unable to receive request packet communication from two independent devices. Therefore, for at least this reason, Ross fails to teach or suggest each and every element of Claim 1, either expressly or under the principles of inherency. Thus, the Office Action fails to establish a *prima facie* case of anticipation for Claim 1. Therefore, Claim 1 is allowable for at least this reason.

Ross fails to teach or suggest all of the limitations of independent Claims 9 and 17, which are allowable for reasons similar to those stated above in regards to Claim 1. Claims 2-3 directly or indirectly depend from Claim 1, Claims 10-11 directly or indirectly depend from Claim 9, and Claim 18 directly or indirectly depends from Claim 17. These dependent claims also include additional features not found in the cited references. Thus, Claims 2-3, 9-11, 17 and 18 are allowable for at least this reason.

### **Rejections Under 35 USC § 103(a)**

Claims 4, 12, and 19 have been rejected under 35 USC § 103(a) as being unpatentable over Ross in view of U.S. Patent 6,185,629 to Simpson et al., (hereinafter “Simpson”). This rejection has been traversed and reconsideration is hereby respectfully requested.

In regards to Claims 4, 12, and 19, Claim 4 directly or indirectly depends from Claim 1, Claim 12 directly or indirectly depends from Claim 9, and Claim 19 directly or indirectly depends from Claim 17. Ross and Simpson considered individually or in combination fail to teach or suggest all of the limitations of Claim 1 for reasons similar to those stated above in regards to Claim 1. These dependent claims also include additional features not found in the cited references. Thus, dependent Claims 4, 12, and 19 are allowable for at least this reason.

Claims 5-8, 13-16, and 20-23 have been rejected under 35 USC § 103(a) as being unpatentable over Ross in view of U.S. Patent 4,969,120 to Azevedo et al., (hereinafter "Azevedo"). This rejection has been traversed and reconsideration is hereby respectfully requested.

In regards to Claims 5-8, 13-16, and 20-23, Claims 5-8 directly or indirectly depend from Claim 1, Claims 13-16 directly or indirectly depend from Claim 9, and Claims 20-23 directly or indirectly depend from Claim 17. Ross and Azevedo considered individually or in combination fail to teach or suggest all of the limitations of Claim 1 for reasons similar to those stated above in regards to Claim 1. These dependent claims also include additional features not found in the cited references. Thus, dependent Claims 5-8, 13-16, and 20-23 are allowable for at least this reason.


**CONCLUSION**

Applicant(s) respectfully submit that the present application is now in condition for allowance. Accordingly, the Examiner is requested to issue a Notice of Allowance for all pending claims.

Should the Examiner deem that any further action by the Applicant(s) would be desirable for placing this application in even better condition for issue, the Examiner is respectfully requested to contact the undersigned attorney or agent.

Respectfully submitted,

1-7-04  
Date

  
J. Gustav Larson, Reg. No. 39,263  
Attorney for Applicant(s)  
TOLER, LARSON & ABEL, L.L.P.  
P.O. Box 29567  
Austin, Texas 78755-9567  
(512) 327-5515 (phone)  
(512) 327-5452 (fax)